

MONDAY, MARCH 21, 1994

SEVENTY-SIXTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Ernest James, First Baptist Church, Bolivar, TN.

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 96

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Garrett.

Representative Kent; illness.

MESSAGE FROM THE GOVERNOR  
March 21, 1994

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 2001, with his approval.

DIANNE F. NEAL, Counsel to the Governor.

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**MESSAGE FROM THE GOVERNOR  
March 21, 1994**

**MR. SPEAKER:** I am directed by the Governor to return herewith: House Bill(s) No(s). 2005, 2190, 2211, 2212, 2337, 2620, 2843, 2855, 2860, 2861, 2863 and 2865; also, House Joint Resolution(s) No(s). 473, 475, 476, 479, 480, 481, 483, 484, 485, 488, 489, 490, 491 and 497; with his approval.

**DIANNE F. NEAL, Counsel to the Governor.**

**INTRODUCTION OF RESOLUTIONS**

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

**\*House Joint Resolution No. 0537 -- General Assembly, Studies --** Creates special joint committee to study acute and cancer pain management. by \*Armstrong, \*Dixon, \*Pruitt.

Health and Human Resources Committee.

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for Wednesday, March 23, 1994:

**House Resolution No. 0155 -- Memorials, Sports -- 1993-1994** Horace Maynard High School boys' basketball team, TSSAA substate participant. by \*Williams Micheal.

**House Resolution No. 0156 -- Memorials, Professional Achievement --** David Buck, Outstanding Young Farmer. by \*Bell, \*Buck.

**House Joint Resolution No. 0538 -- Memorials, Interns --** Stuart Frisch. by \*Joyce.

**House Joint Resolution No. 0539 -- Memorials, Retirement --** Neil Harris. by \*Severance, \*Boyer, \*Peroulas Draper.

**House Joint Resolution No. 0541 -- Memorials, Sports --** Tennessee State University women's basketball team, Ohio Valley Conference champions. by \*Love.

**House Joint Resolution No. 0543 -- Memorials, Professional Achievement --** Joni Werthan and Wariato Farms. by \*Williams Mike.

**House Joint Resolution No. 0546 -- Memorials, Public Service --** Dr. Jack Pettigrew. by \*Crain.

**House Joint Resolution No. 0547 -- Memorials, Death --** Bryan William Webb. by \*Hillis, \*Rhinehart, \*West, \*Bragg, \*Wix, \*Purcell, \*Bell.

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**House Joint Resolution No. 0548 -- Memorials, Retirement -- Howard Trull. by \*Hargrove, \*Walley.**

**House Joint Resolution No. 0549 -- Memorials, Retirement -- Professor Hoyt Kirk. by \*Hargrove, \*Walley.**

**House Joint Resolution No. 0550 -- Memorials, Retirement -- Bill Taylor. by \*Hargrove, \*Walley.**

**House Joint Resolution No. 0551 -- Memorials, Sports -- 1993 Upperman High School baseball team, TSSAA Class A state champions. by \*Hargrove.**

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for Wednesday, March 23, 1995:

**Senate Joint Resolution No. 0357 -- Memorials, Public Service -- Lola V. Wooldridge, President, Davidson County Democratic Women's Club.**

**Senate Joint Resolution No. 0371 -- Memorials, Sports -- 1993 Cleveland High School football team, TSSAA Class 4-A state champions.**

**INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 2871 -- Hardeman County -- Transfers duties and records of juvenile court clerk from county clerk to clerk of circuit court. by \*Walley, \*Crain.**

**House Bill No. 2887 -- Jellico -- Revises qualifications for electors and mayoral and aldermen candidates. Amends Chapter 110, Private Acts of 1991, as amended. by \*Cross.**

**House Bill No. 2888 -- Henry County -- Extends ownership, administration, management and operation of Henry County Nursing and Rest Home to Henry County Hospital District. Amends Chapter 176, Private Acts of 1953, as amended. by \*Ridgeway.**

**House Bill No. 2889 -- Westmoreland -- Revises corporate authority. Amends Chapter 306, Private Acts of 1951, as amended. by \*Wix.**

**House Bill No. 2890 -- Fentress County -- Restructures board of education to comply with Education Improvement Act; increases size from five to nine members. Repeals Chapter 251, Private Acts of 1975, as amended. by \*Windle.**

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REPORT OF DELAYED BILLS COMMITTEE  
March 21, 1994

Pursuant to Rule No. 77, we the undersigned members of the Delayed Bills Committee have approved the following bill(s) to be introduced: House Bill(s) No(s). 2841, 2844, 2849 and 2873.

Jimmy Naifeh, Speaker  
Bill Purcell  
H. E. Bittle

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 1678** -- District Attorneys -- Creates three additional assistant district attorney positions, one additional criminal investigator position and one additional victim witness coordinator position in 26th judicial district. Amends TCA 16-2-506. (HB 2037).

**\*Senate Bill No. 1773** -- Tort Liability -- Broadens immunity from civil liability to volunteers for nonprofit organizations. Amends TCA 48-58-601. (HB 1787).

**\*Senate Bill No. 1976** -- Firearms and Ammunition -- Prohibits sale of confiscated weapons by law enforcement agencies. Amends TCA 39-17-1317, 1318. (HB 2247).

**\*Senate Bill No. 2082** -- District Attorneys -- Enacts "Assistant District Attorneys General and Criminal Investigators Compensation Act of 1994". (HB 2160).

**\*Senate Bill No. 2106** -- Public Service Commission -- Removes exemption from safety inspection for certain motor vehicles operated exclusively within municipal limits. Amends TCA, Title 65, Ch. 15. (HB 1935).

**\*Senate Bill No. 2628** -- Criminal Offenses -- Adds as enhancement factor that defendant perpetrated violent disturbance or committed crime involving weapon or violence on school property. Amends TCA 40-35-114. (HB 2775).

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 2881** -- Manchester -- Held on Clerk's desk pending approval by local delegation.

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**House Bill No. 2882 -- Madison County -- Held on Clerk's desk pending approval by local delegation.**

**House Bill No. 2883 -- Morgan County -- Held on Clerk's desk pending approval by local delegation.**

**House Bill No. 2884 -- Roane County -- Held on Clerk's desk pending approval by local delegation.**

**House Bill No. 2885 -- Gibson County -- Held on Clerk's desk pending approval by local delegation.**

**CONSENT CALENDAR**

**House Bill No. 2876 -- Tiptonville -- Alters charter by replacing current city court with mayor's court. Amends Chapter 393, Acts of 1907, as amended.**

**House Bill No. 2859 -- Kingsport -- Revises publication requirements for penal ordinances to require only publication of caption and abstract of essential provision in newspaper of general circulation within city. Amends Chapter 76, Private Acts of 1917, as amended.**

**House Bill No. 1944 -- Sunset Laws -- State family support council, June 30, 2002. Amends TCA, Title 4, Ch. 29; Title 33, Ch. 5.**

**On motion, House Bill No. 1944 was made to conform with Senate Bill No. 1836; the Senate Bill was substituted for the House Bill.**

**House Bill No. 1975 -- Sunset Laws -- Interagency coordination council on African-American family, June 30, 1996. Amends TCA, Title 4, Ch. 29; Title 71, Ch. 1.**

**On motion, House Bill No. 1975 was made to conform with Senate Bill No. 1924; the Senate Bill was substituted for the House Bill.**

**House Bill No. 1983 -- Sunset Laws -- Tennessee peace officer standards and training commission, June 30, 2002. Amends TCA, Title 4, Ch. 29; Title 38, Ch. 8.**

**On motion, House Bill No. 1983 was made to conform with Senate Bill No. 1916; the Senate Bill was substituted for the House Bill.**

**House Bill No. 1985 -- Sunset Laws -- Tennessee council for the hearing impaired, June 30, 2002. Amends TCA, Title 4, Ch. 29; Title 71, Ch. 4.**

**On motion, House Bill No. 1985 was made to conform with Senate Bill No. 1913; the Senate Bill was substituted for the House Bill.**

**House Bill No. 2195 -- Sunset Laws -- Law Enforcement Training**

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Academy, June 30, 2002. Amends TCA, Title 4, Ch. 29; Title 38, Ch. 8.

On motion, House Bill No. 2195 was made to conform with **Senate Bill No. 2439**; the Senate Bill was substituted for the House Bill.

**House Bill No. 2582 -- Taxes, Real Property --** Directs cities that pay one half of sharable and nonsharable local costs of reappraisal to pay cost directly to county having jurisdiction over property in fiscal year reappraisal is finalized. Amends TCA 67-5-1601.

**\*House Joint Resolution No. 0472 -- Highway Signs --** "Dave Harrell Memorial Bridge," S.R. 143, Carter County.

**\*House Joint Resolution No. 0399 -- Memorials, Government Officials --** Recommends that Services for the Blind have line responsibility.

**\*House Joint Resolution No. 0492 -- Highway Signs --** "T.R. Love Memorial Bridge," I-181 and Jackson-Love Highway, Unicoi County.

**\*House Joint Resolution No. 0493 -- Highway Signs --** "Howard Garland Bridge," near Shallow Ford community, Unicoi County.

**House Bill No. 1927 -- Economic and Community Development --** Authorizes creation of local neighborhood development corporation for 54th representative district. Amends TCA, Title 13.

**House Bill No. 1929 -- Economic and Community Development --** Requires mayor of Nashville to schedule public hearing to explain to citizens of North Nashville advantages of establishing local neighborhood development corporation in area. Amends TCA, Title 13, Ch. 13.

**House Bill No. 1930 -- Economic and Community Development --** Describes area in 54th state representative district for local neighborhood development corporation, to be known as Metro Center Area Development Corp.; requires mayor to schedule public hearing to explain advantages to area of creating corporation. Amends TCA, Title 13, Ch. 13, Pt. 1.

**House Bill No. 1951 -- Sunset Laws --** Tennessee advisory commission on intergovernmental relations, June 30, 2002. Amends TCA, Title 4, Chs. 10, 29.

On motion, House Bill No. 1951 was made to conform with **Senate Bill No. 1911**; the Senate Bill was substituted for the House Bill.

**House Bill No. 1957 -- Sunset Laws --** Gibson County water project authority, June 30, 1995. Amends TCA, Title 4, Ch. 29; Title 64, Ch. 1.

On motion, House Bill No. 1957 was made to conform with **Senate**

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**Bill No. 1896;** the Senate Bill was substituted for the House Bill.

**House Bill No. 1960 -- Sunset Laws -- Carroll County watershed authority, June 30, 1995.** Amends TCA, Title 4, Ch. 29; Title 64, Ch. 1.

On motion, House Bill No. 1960 was made to conform with **Senate Bill No. 1842;** the Senate Bill was substituted for the House Bill.

**House Bill No. 1968 -- Sunset Laws -- Employee suggestion award board, June 30, 2002.** Amends TCA, Title 4, Chs. 27, 29.

On motion, House Bill No. 1968 was made to conform with **Senate Bill No. 1900;** the Senate Bill was substituted for the House Bill.

**House Bill No. 1984 -- Sunset Laws -- Tennessee film, entertainment and music commission, June 30, 2002.** Amends TCA, Title 4, Chs. 3, 29.

On motion, House Bill No. 1984 was made to conform with **Senate Bill No. 1914;** the Senate Bill was substituted for the House Bill.

**House Bill No. 2193 -- Sunset Laws -- State seed board, June 30, 1995.** Amends TCA, Title 4, Ch. 29; Title 43, Ch. 10.

On motion, House Bill No. 2193 was made to conform with **Senate Bill No. 2445;** the Senate Bill was substituted for the House Bill.

**House Bill No. 2371 -- Criminal Offenses -- Increases penalty when recipient of drugs is under 18 years of age.** Amends TCA 39-17-417.

**House Bill No. 2404 -- Physicians and Surgeons -- Authorizes foreign team doctors to treat athletes at the Ocoee Whitewater venue in Polk County during Olympic games.** Amends TCA, Title 63.

**House Bill No. 2875 -- Milan -- Allows operation of health care facilities and services outside city limits.** Amends Chapter 458, Acts of 1901, as amended.

**House Bill No. 2271 -- Judicial Officers -- Sets annual required meeting of judicial council in November rather than fourth Monday in October.** Amends TCA, Title 16, Ch. 21, Pt. 1.

On motion, House Bill No. 2271 was made to conform with **Senate Bill No. 1804;** the Senate Bill was substituted for the House Bill.

**House Bill No. 2114 -- Insurance, Health, Accident -- Requires insurers doing business in Tennessee to provide health insurance coverage for minor children who are living with guardians pursuant to court order.** Amends TCA, Title 56, Ch. 7, Pt. 10.

**\*House Joint Resolution No. 0502 -- Highway Signs -- Rivergate Mall on I-65 and Hickory Hollow Mall on I-24.**

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**\*House Joint Resolution No. 0415** -- General Assembly, Directed Studies -- Urges DOT to study feasibility by establishing passing lanes through Holston Mountains on U.S. Highway 421.

**\*House Joint Resolution No. 0434** -- General Assembly, Directed Studies -- Urges department of transportation to study feasibility of building four lane highway connecting U.S. 19E between Piney Flats and Bluff City with S.R. 357, known as airport connector to I-81.

**House Bill No. 2880** -- Cornersville -- Repeals present charter; enacts new charter. Amends Chapter 563, Private Acts of 1915, as amended.

**House Bill No. 2877** -- Alcoa -- Establishes lump sum monthly salary of \$75.00 for mayor and \$50.00 for other commissioners. Amends Chapter 510, Private Acts of 1919, as amended.

**House Bill No. 2878** -- Alcoa -- Allows board of commissioners or mayor to elect commissioners to nonsalaried positions on boards, commissions, authorities or bodies over which board or mayor has power of appointment or election of some or all of members. Amends Chapter 510, Private Acts of 1919, as amended.

**House Resolution No. 0149** -- Memorials, Personal Achievement -- Brandon Alan Bell, Eagle Scout.

**House Resolution No. 0150** -- Memorials, Personal Achievement -- Shane Benton Rowan, Eagle Scout.

**House Resolution No. 0151** -- Memorials, Interns -- Thomas Branch.

**House Resolution No. 0152** -- Memorials, Death -- Robert Hemontolor.

**House Resolution No. 0153** -- Memorials, Sports -- 1993-1994 Seymour High School girls' basketball team, TSSAA Region 2-AA champions.

**House Resolution No. 0154** -- Memorials, Professional Achievement -- Clara G. Hill, TCRS board of trustees.

**House Joint Resolution No. 0530** -- Memorials, Public Service -- Middle Tennessee Electric Membership Cooperative.

**House Joint Resolution No. 0531** -- Memorials, Interns -- Traci Renee Scudder.

**House Joint Resolution No. 0532** -- Memorials, Death -- Jeffrey Phillip Wolfe.

**House Joint Resolution No. 0533** -- Memorials, Public Service -- Linda Money, founder of WE C.A.R.E.



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**\*House Joint Resolution No. 0534 -- Highway Signs -- "Sam F. Johnston Boat Ramp," Hatchie River Bridge, Lauderdale County.**

**House Joint Resolution No. 0535 -- Memorials, Recognition and Thanks -- Clarksburg Ruritan Club, 40th anniversary.**

**House Joint Resolution No. 0536 -- Memorials, Death -- Dr. Neils W. Robinson.**

**Senate Joint Resolution No. 0352 -- Memorials, Academic Achievement -- Brian Alan Carlson, 1994 Valedictorian, Friendship Christian School.**

**Senate Joint Resolution No. 0353 -- Memorials, Academic Achievement -- Tasha Walker, 1994 Salutatorian, Watertown High School.**

**Senate Joint Resolution No. 0354 -- Memorials, Academic Achievement -- Keith E. Thompson, 1994 Valedictorian, Trousdale County High School.**

**Senate Joint Resolution No. 0355 -- Memorials, Academic Achievement -- Jason Randall Hall, 1994 Valedictorian, Mt. Juliet Christian Academy.**

**Senate Joint Resolution No. 0356 -- Memorials, Death -- Dinah Shore.**

**Senate Joint Resolution No. 0358 -- Memorials, Retirement -- Betty Carter Justice.**

**Senate Joint Resolution No. 0360 -- Memorials, Public Service -- Vasco A. Smith, Shelby County Commissioner.**

**Senate Joint Resolution No. 0361 -- Memorials, Academic Achievement -- Rebecca Haney, 1994 Salutatorian, Mt. Juliet High School.**

**Senate Joint Resolution No. 0362 -- Memorials, Academic Achievement -- Shane Marshall, 1994 Valedictorian, Mt. Juliet High School.**

**Senate Joint Resolution No. 0363 -- Memorials, Academic Achievement -- Kyle Flanagan, 1994 Salutatorian, Friendship Christian School.**

**Senate Joint Resolution No. 0365 -- Memorials, Death -- Dr. David Daigneault.**

**Senate Joint Resolution No. 0367 -- Memorials, Academic Achievement -- Glenda Ann Hawkins, 1994 Valedictorian, Watertown High School.**

**Senate Joint Resolution No. 0368 -- Memorials, Retirement -- Sheriff C.D. "Don" Martin.**

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Senate Joint Resolution No. 0369 -- Memorials, Sports -- Kristen Goehring, University of Mississippi NCAA Woman of the Year.

Senate Joint Resolution No. 0370 -- Memorials, Sports -- Cumberland University football, baseball and women's volleyball teams.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 1927; by Rep. Chiles.

House Bill No. 1929; by Rep. Chiles.

House Bill No. 1930; by Rep. Chiles.

House Bill No. 2371; by Rep. Williams (Shelby).

House Bill No. 2582; by Rep. Williams (Shelby).

Under the rules, House Bill(s) No(s). 1927, 1929, 1930, 2371 and 2582 was/were placed at the foot of the calendar for Wednesday, March 23, 1994.

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

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### MOTION TO RECESS

On motion of Speaker Naifeh, the House recessed so that Rep. Crain could introduce Bulgarian Military Delegates visiting Tennessee.

### RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

### REGULAR CALENDAR

House Bill No. 2094 -- Criminal Offenses -- Expands offense of parent knowing minor is in illegal possession of firearm on school or public property, to include standard of whether parent should have known; violation Class A misdemeanor. Amends TCA 39-17-1312.

Further consideration of House Bill No. 2094, previously considered on March 7, 1994, at which time it was reset to the Calendar for March 21, 1994.

Rep. Moore moved that House Bill No. 2094 be passed on third and final consideration.

Rep. Moore moved to adopt Amendment No. 1 as follows:

#### Amendment No. 1

Amend House Bill No. 2094 by adding the following new section:

Section \_\_\_\_\_. Tennessee Code Annotated, Section 39-17-1312(a) is amended by adding the following language at the end of the first sentence:

only if the minor has brought the firearm from home

Section \_\_\_\_\_. Tennessee Code Annotated, Section 39-17-1312 is amended by adding the following new subsection:

(c) If the minor commits the offense of being in illegal possession of a firearm on the premises of a public or private school, at such school's athletic stadium or other facility or building where school-sponsored athletic events are conducted, or in a public park, playground or civic center, and if the minor has obtained a driver license in accordance with the provisions of Title 55, Chapter 50, such license shall be suspended for a period of one (1) year.

On motion, Amendment No. 1 was adopted.

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Rep. Moore requested that House Bill No. 2094 be moved down 5 places on the Calendar.

**\*House Bill No. 1997** -- Motor Vehicles, Titling and Registration -- Permits issuance of anti-crime license plates. Amends TCA, Title 55, Ch. 4.

Further consideration of House Bill No. 1997, previously considered on March 14, 1994, at which time it was reset to the Calendar for March 21, 1994.

Rep. Windle requested that House Bill No. 1997 be moved down 5 places on the Calendar.

**House Bill No. 2070** -- Judgments -- Deletes general sessions court jurisdictional limits on monetary damages from cases removed to courts of appeals. Amends TCA 16-15-732.

Rep. Williams (Shelby) requested that House Bill No. 2070 be moved down 5 places on the Calendar.

**House Bill No. 1935** -- Public Service Commission -- Removes exemption from safety inspection for certain motor vehicles operated exclusively within municipal limits. Amends TCA, Title 65, Ch. 15.

On motion, House Bill No. 1935 was made to conform with **Senate Bill No. 2106**; the Senate Bill was substituted for the House Bill.

Rep. Odom moved that **Senate Bill No. 2106** be passed on third and final consideration.

On motion, Rep. Napier withdrew Transportation Committee Amendment No. 1.

Rep. Odom moved that **Senate Bill No. 2106** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0
Present and not voting. . . . .	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce,

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Thompson, Tindell, Turner (Hamilton), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Fowlkes, Westmoreland -- 2.

A motion to reconsider was tabled.

**House Bill No. 2413 -- Medical Occupations -- Expands scope of practice of physician assistants. Amends TCA, Title 53, Ch. 10; Title 63, Chs. 10, 19.**

Rep. Odom moved that House Bill No. 2413 be passed on third and final consideration.

Rep. Dixon moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2413 by deleting all language following the enacting clause, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 63-19-106(a), is amended by deleting the existing subdivisions (2), (3), and (5) in their entirety, and by adding the following language as new subdivisions (2) and (3):

(2) The range of services which may be provided by a physician assistant shall be set forth in a written protocol, jointly developed by the supervising physician and the physician assistant. The protocol shall also contain a discussion of the problems and conditions likely to be encountered by the physician assistant and the appropriate treatment for these problems and conditions. Upon filing of the protocol with the board of medical examiners, the physician assistant may commence the rendering of services set forth in the protocol; provided, however, the board may require changes in the protocol at any time if the board finds that such changes are necessary to protect the public health and safety.

(3) A physician assistant may perform only those tasks which are within the physician assistant's range of skills and competence, which are within the usual scope of practice of the supervising physician, and which are consistent with the protection of the health and well-being of the patients.

SECTION 2. Tennessee Code Annotated, Section

63-19-107, is amended by deleting subdivision (2) in its entirety and substituting instead the following language:

(2)(A) A supervising physician may delegate to a physician assistant working under the physician's supervision the authority to prescribe drugs, in accordance with rules adopted by the board and the committee. These rules shall be adopted by the board and the committee within one (1) year after the effective date of this act. The rules shall not allow physician assistants to prescribe controlled substances listed in Schedules I, II, III, IV, and V of Tennessee Code Annotated, Title 39, Chapter 17.

(B) A supervising physician who wishes to delegate the authority to prescribe legend drugs to a physician assistant working under the physician's supervision shall submit the name of that physician assistant to the board of medical examiners, the board of pharmacy, the director of the division of health related boards, and the primary care advisory board. Any prescription written and signed and/or any drug issued by such physician assistant shall be deemed to be that of the physician under whose supervision and control the physician assistant is prescribing. The physician assistant shall sign both the physician assistant's own name and the supervising physician's name on each such prescription so written.

(C) A supervising physician who has delegated the authority to prescribe drugs to a physician assistant working under his supervision shall file a notice with the primary care advisory board created pursuant to Section 68-1-701 containing the name of the physician assistant and attaching thereto a copy of the formulary describing the categories of legend drugs to be prescribed and/or issued and the protocol the physician assistant will be using, together with the name of the licensed physician having the supervision, control and responsibility for the prescriptive services rendered by the physician assistant. The supervising physician and the physician assistant shall be responsible for updating this information. The same information shall be filed with the director of the division of health related boards.

(D) The prescriptive practices of physician assistants, and the supervision by physicians under whom such physician assistants are rendering service, shall be monitored by the primary care advisory board. For purposes of this section, the word "monitor" shall not include the regulation of the practice of medicine or the regulation of the practice of a physician assistant, but may include site visits by members of the primary care advisory board.

(E) Any complaints against physician assistants and/or supervising physicians shall be reported to the director of the division of health related boards, the committee on physician assistants, and the board of medical examiners, as appropriate.

(F) The primary care advisory board shall assist in any appropriate manner in an investigation of improper prescriptive practices of a physician assistant and/or a supervising physician at the request of the director of the division of health related boards.

(G) Every prescription issued by a physician assistant pursuant to this section shall be entered in the medical records of the patient and shall be written on a preprinted prescription pad bearing the name, address, and telephone number of the supervising physician and of the physician assistant.

(H) No drugs shall be dispensed by a physician assistant except under the supervision, control, and responsibility of the supervising physician.

SECTION 3. Tennessee Code Annotated, Section 53-10-104(a)(1), is amended by inserting the following language and punctuation between the word and punctuation "physician," and the word "nurse":

certified physician assistant,

SECTION 4. Tennessee Code Annotated, Section 53-10-105, is amended by inserting the following language between the word and punctuation "physician," and the word "dentist" at all three places where such words and punctuation appear in sequence in this section:

certified physician assistant,

SECTION 5. Tennessee Code Annotated, Section 63-10-101(e)(7), is amended by inserting the following language and punctuation between the word and punctuation "physician," and the word "nurse":

certified physician assistant,

SECTION 6. Tennessee Code Annotated, Section 63-10-201(c)(1), is amended by inserting the following language and punctuation between the word and punctuation "physicians," and the word "dentists":

certified physician assistants,

SECTION 7. Tennessee Code Annotated, Section 63-10-201(c)(2), is amended by inserting the following

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language and punctuation between the word and punctuation "physician," and the word "nurse":

certified physician assistant,

SECTION 8. Tennessee Code Annotated, Section 63-10-206(a), is amended by inserting the following language and punctuation between the word and punctuation "physicians," and the word "dentists":

certified physician assistants,

SECTION 9. Tennessee Code Annotated, Section 63-10-207(a), is amended by inserting the following language and punctuation between the word and punctuation "physicians," and the word "dentists":

certified physician assistants',

SECTION 10. Tennessee Code Annotated, Section 63-10-207, is further amended by inserting the following language and punctuation between the word and punctuation "physician," and the word "dentist" wherever such two words appear in sequence in the remainder of this section:

certified physician assistant,

SECTION 11. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Duer moved to adopt Amendment No. 2 as follows:

#### Amendment No. 2

Amend House Bill No. 2413 by deleting in its entirety the first sentence of the amendatory language of Section 2, as amended, which amends Section 63-19-107, subdivision (2)(A), and by substituting instead the following language:

After a physician assistant has completed a two (2) year internship under the supervision of a physician involving the prescribing and use of legend drugs, a supervising physician may delegate to a physician assistant working under the physician's supervision the authority to prescribe drugs, in accordance with rules adopted by the board and the committee.

Rep. Odom moved that Amendment No. 2 be tabled, which motion failed by the following vote:



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Ayes. . . . .	41
Noes. . . . .	49
Present and not voting. . . . .	3

Representatives voting aye were: Armstrong, Arriola, Bell, Bragg, Brooks, Byrd, Callicott, Chumney, Cole (Carter), Cross, DeBerry, Dixon, Fisher, Fowlkes, Hargrove, Head, Herron, Jones R (Shelby), Kisber, Love, McDaniel, Miller, Mires, Napier, Odom, Phelan, Phillips, Pinion, Pruitt, Purcell, Ridgeway, Rinks, Robinson, Stulce, Thompson, Tindell, Turner (Hamilton), Walley, West, Wix, Mr. Speaker Naifeh -- 41.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Brown, Buck, Chiles, Cole (Dyer), Collier, Crain, Davidson, Davis, Duer, Ferguson, Givens, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Hillis, Huskey, Jackson, Johnson, Joyce, Knight, Lewis, Liles, McAfee, McKee, Meyer, Owenby, Peroulas Draper, Ramsey, Rhinehart, Ritchie, Severance, Shirley, Stamps, Stockburger, Venable, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wood -- 49.

Representatives present and not voting were: Clark, Jones U (Shelby), Rigsby -- 3.

Rep. Odom requested that House Bill No. 2413 be moved to the heel of the Calendar.

**House Bill No. 0691** -- Criminal Procedure -- Requires judge in criminal cases to inform the jury how much time a defendant will serve if convicted of offense. Amends TCA 40-35-201.

Rep. Fisher moved that House Bill No. 691 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

Amend House Bill No. 691 by adding the following new paragraph to the end of item (2) of the amendatory language of SECTION 1:

Such instructions to the jury shall also include a statement that whether a defendant is actually released from incarceration on the date when such defendant is first eligible for release is a discretionary decision made by the board of paroles based upon many factors and that such board has the authority to require the defendant to serve the entire sentence imposed by the court.

On motion, Amendment No. 1 was adopted.

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Rep. Fisher moved that **House Bill No. 691**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	92
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Venable, Wailey, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

**House Bill No. 2094** -- Criminal Offenses -- Expands offense of parent knowing minor is in illegal possession of firearm on school or public property, to include standard of whether parent should have known; violation Class A misdemeanor. Amends TCA 39-17-1312.

Further consideration of **House Bill No. 2094**, previously considered on today's Calendar.

Rep. Moore requested that **House Bill No. 2094** be moved down 5 places on the Calendar.

**\*House Bill No. 1997** -- Motor Vehicles, Titling and Registration -- Permits issuance of anti-crime license plates. Amends TCA, Title 55, Ch. 4.

Further consideration of **House Bill No. 1997**, previously considered on today's Calendar.

Rep. Windle moved that **House Bill No. 1997** be passed on third and final consideration.

Rep. Robinson moved adoption of Transportation Committee Amendment No. 1 as follows:

**Amendment No. 1**

Amend **House Bill No. 1997** by adding the following words and figures between the words "fee" and "provided" in Section (1)(a):

of twenty-five dollars (\$25.00)

On motion, Amendment No. 1 was adopted.

Rep. Windle moved to adopt Amendment No. 2 as follows:

**Amendment No. 2**

Amend House Bill No. 1997 by deleting subsection (d)(1) in Section 1 and substituting instead the following:

(d)(1)(A) The proceeds from the fee paid pursuant to § 55-4-203 for the sale of special plates provided by this section shall be deposited to the general fund administered by the county executive of the county which issued the license. Said proceeds shall be used exclusively for supplies, equipment and relief for victims of crime as directed by a citizens advisory committee.

(B) The citizens advisory committee shall consist of three (3) citizens from the county and one (1) citizen from each incorporated city within the county appointed by the respective legislative body. The members shall serve on the committee at the pleasure of the respective legislative body and without compensation. The committee is authorized to develop guidelines for the disbursement of funds for the benefit of victims.

On motion, Amendment No. 2 was adopted.

Rep. Windle moved that House Bill No. 1997, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

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A motion to reconsider was tabled.

**House Bill No. 2070 -- Judgments -- Deletes general sessions court jurisdictional limits on monetary damages from cases removed to courts of appeals. Amends TCA 16-15-732.**

Further consideration of House Bill No. 2070, previously considered on today's Calendar.

On motion, House Bill No. 2070 was made to conform with **Senate Bill No. 1869**; the Senate Bill was substituted for the House Bill.

Rep. Williams (Shelby) moved that **Senate Bill No. 1869** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0
Present and not voting. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Brown -- 1.

A motion to reconsider was tabled.

**House Bill No. 2257 -- Recycling -- Lowers costs of transporting recyclable materials intrastate to parallel federal interstate rates. Amends TCA, Title 65, Ch. 15.**

Rep. Fisher moved that House Bill No. 2257 be reset to the Calendar for Monday, April 4, 1994, which motion prevailed.

**House Bill No. 2560 -- Uniform Commercial Code -- Revises law concerning leases of goods under UCC. Amends TCA, Title 47, Ch. 2.**

Rep. Hargrove moved that House Bill No. 2560 be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**House Bill No. 2558 -- Bonding, Surety and Professional --** Makes it Class E felony to give false statement to obtain surety bond. Amends TCA, Title 39, Ch. 14, Pt. 1.

Rep. Hargrove moved that **House Bill No. 2558** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	90
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Thompson, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 90.

A motion to reconsider was tabled.

**House Bill No. 2094 -- Criminal Offenses --** Expands offense of parent knowing minor is in illegal possession of firearm on school or public property, to include standard of whether parent should have known; violation Class A misdemeanor. Amends TCA 39-17-1312.

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Further consideration of House Bill No. 2094, previously considered on today's Calendar.

Rep. Moore requested that House Bill No. 2094 be moved to the heel of the Calendar.

**\*House Bill No. 2275 -- Custody and Support --** Marks substantial compliance with statutory procedure whereby child 14 or older has preference as to which parent such child lives with in a custody case sufficient to compel court to consider child's preference. Amends TCA, Title 36.

Rep. Buck moved that House Bill No. 2275 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1, seconded by Rep. Herron, as follows:

**Amendment No. 1**

AMEND House Bill No. 2275 by deleting SECTION 1 in its entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 36-6-102, is amended by deleting the language "fourteen (14)", whenever such language may appear and substituting instead the language "twelve (12)".

SECTION 2. Tennessee Code Annotated, Section 36-6-102, is further amended by deleting the words "the sworn" from the first sentence of subsection (a).

AND FURTHER AMEND by renumbering SECTION 2 of the printed bill as SECTION 3.

On motion, Amendment No. 1 was adopted.

Rep. Buck moved that **House Bill No. 2275**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	92
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt,

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Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

**House Bill No. 2427 -- Child Abuse -- Increases sentence length and classification for aggravated child abuse. Amends TCA, Titles 37, 39; Title 40, Ch. 35.**

Rep. Napier moved that House Bill No. 2427 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1, seconded by Rep. Napier, as follows:

**Amendment No. 1**

AMEND House Bill No. 2427 by deleting Section 4 in its entirety and substituting instead the following:

SECTION 4. Tennessee Code Annotated, Section 40-35-303(a), is amended by inserting "Section 39-15-402" in the first sentence between "Section 39-13-402" and "or".

On motion, Amendment No. 1 was adopted.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 2 as follows:

**Amendment No. 2**

Amend House Bill No. 2427 by adding the following as a new section to precede the effective date section:

Section \_\_\_\_\_. Implementation of the provisions of this act shall be subject to funding being provided in the 1994-1995 general appropriations bill.

On motion, Amendment No. 2 was adopted.

Rep. Napier moved that House Bill No. 2427, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong,

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Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from not voting to aye on House Bill No. 2427 and have this statement entered in the Journal: Rep(s). Napier.

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 2160 -- District Attorneys -- Enacts "Assistant District Attorneys General and Criminal Investigators Compensation Act of 1994".**

On motion, House Bill No. 2160 was made to conform with **Senate Bill No. 2082**; the Senate Bill was substituted for the House Bill.

**CHAIR TO DEBERRY**

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

**REGULAR CALENDAR, CONTINUED**

Rep. Rhinehart moved that **Senate Bill No. 2082** be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

**Senate Bill No. 2082** passed third and final consideration by the following vote:

Ayes. . . . .	93
Noes. . . . .	0
Present and not voting. . . . .	1



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Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Shirley -- 1.

A motion to reconsider was tabled.

**\*House Bill No. 1850** -- Courts -- Defines certain duties and reporting requirements of director of courts and judicial council staff; clarifies local funding requirements for district public defender. Amends TCA 16-2-518, 16-3-803, 16-21-107.

Rep. Rhinehart moved that House Bill No. 1850 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1, seconded by Rep. Rhinehart, as follows:

**Amendment No. 1**

AMEND House Bill No. 1850 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 16-3-803(i) is amended by deleting this subsection in its entirety and substituting instead the following:

(i) For the purposes of monitoring the operation of the state court system, reducing unnecessary delay, and assessing the responsiveness of the state court system to the needs of litigants, victims of crime, and the citizens of the state, the administrative director of the courts shall have the responsibility for annually collecting, compiling, analyzing, and publishing case load statistics pertaining to the state court system. It is the responsibility of the administrative director of the courts to develop, define, update, and disseminate standard, uniform measures, definitions, and criteria for collecting statistics pertaining to the state

court system. These standards and reporting requirements shall be used for uniform statistical data collection in all of the courts throughout the state as established by the rules of the supreme court.

(1) Prior to the November annual meeting of the Tennessee judicial council, the administrative director of the courts shall report to the chairperson of the judicial council, the chair of the judiciary committee of the senate, and the chair of the judiciary committee of the house of representatives the failure of any judge, district attorney general, district public defender, or court clerk to substantially comply with the reporting requirements.

(2) The office of the comptroller of the treasury, as a part of its annual county audit function, shall review for compliance with the reporting requirements.

SECTION 2. Tennessee Code Annotated, Section 16-21-107(a)(5)(A) is amended by inserting the words and punctuation "general assembly," between the words "the" and "governor" in the first sentence.

SECTION 3. Tennessee Code Annotated, Section 16-21-107(a)(5)(A) is amended by adding the following new sentence after the third sentence of this subsection:

The staff shall report the effects of the proposed creation of any new position upon the personnel requirements of the district attorney general's office and the district public defender's office in the district in which the new position is proposed.

SECTION 4. Tennessee Code Annotated, Section 16-2-518 is amended by deleting the section in its entirety and by substituting instead the following:

From and after July 1, 1992, any increase in local funding for positions or office expense for the district attorney general shall be accompanied by an increase in funding of seventy-five percent (75%) of the increase in funding to the office of the public defender in such district for the purpose of indigent criminal defense.

SECTION 5. Tennessee Code Annotated, Title 16, Chapter 3, Part 8 is amended by adding the appropriately designated new section:

(a) The state treasurer is authorized and directed to establish within the general fund the

Tennessee Judicial Information System Fund, as a restricted revolving account in the state treasury.

(b) The source of funding for this account shall be judicial branch appropriations made in the general appropriations act and unexpended funds carried forward in accordance with subsection (d) below.

(c) The funds for the Tennessee Judicial Information System established by this act may be invested by the treasurer pursuant to policy guidelines, established by resolution of the funding board, created by Tennessee Code Annotated, Section 9-9-101. The funding board shall establish the policy guidelines for the investment of the Tennessee Judicial Information System Fund in a manner which is lawful for investment of state funds. All interest or other earnings shall be added to the corpus of the fund and shall remain a part of the fund.

(d) Any unencumbered or unexpended balance of this account at the end of the fiscal year shall not revert to the general fund but shall be carried forward until expended in accordance with the provisions of this act.

(e) The balance of the fund shall be used for the acquisition of equipment, software, supplies, personnel, services, and other costs incidental to the acquisition, development, operation, and administration of information services, telecommunications, systems, software, supplies, and equipment, including the payment of principle and interest on items paid in installments.

SECTION 6. For the purpose of establishing rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect on January 1, 1995, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Rhinehart moved that House Bill No. 1850, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	92
Noes. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes,

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Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: Chiles -- 1.

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from not voting to present not voting on House Bill No. 1850 and have this statement entered in the Journal: Rep(s). Arriola.

**REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 2152 -- Firearms and Ammunition --** Creates offenses of possession of handgun by juvenile, providing juvenile with handgun, permitting juvenile to possess handgun. Amends TCA, Title 39, Ch. 17, Pt. 13.

Rep. Herron requested that House Bill No. 2152 be moved down 7 places on the Calendar.

**\*House Bill No. 2573 -- Firearms and Ammunition --** Authorizes retired state, county, municipal or federal judges or magistrates to possess or carry weapons. Amends TCA 39-17-1308.

Rep. Stulce moved that House Bill No. 2573 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

Amend House Bill No. 2573 by adding at the end of the amendatory language of Section 1 of the printed bill the following language:

Any such retired state, county, municipal or federal judge or magistrate who carries a weapon pursuant to this provision shall receive training as provided by Tennessee Code Annotated, Section 39-17-1315(b)(2).

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On motion, Amendment No. 1 was adopted.

**House Bill No. 2573**, as amended, passed third and final consideration by the following vote:

Ayes. . . . .	90
Noes. . . . .	2
Present and not voting. . . . .	1

Representatives voting aye were: Allen, Anderson, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kisber, Knight, Lewis, Liles, Love, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 90.

Representatives voting no were: Armstrong, Haun -- 2.

Representatives present and not voting were: Shirley -- 1.

A motion to reconsider was tabled.

**\*House Bill No. 2134** -- Eminent Domain -- Gives right of first refusal to former landowner when state, county or municipality no longer needs all or part of condemned land; establishes method for sale if landowner rejects offer or fails to exercise option. Amends TCA, Title 29, Chs. 16, 17.

Rep. Stulce moved that **House Bill No. 2134** be reset one week to the Calendar for Monday, March 28, 1994, which motion prevailed.

**House Bill No. 1865** -- Courts, General Sessions -- Grants jurisdiction to Davidson County General Sessions Court to hear involuntary mental health commitment cases. Amends TCA 33-3-603.

On motion, **House Bill No. 1865** was made to conform with **Senate Bill No. 1765**; the Senate Bill was substituted for the House Bill.

Rep. Love moved that **Senate Bill No. 1765** be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

Amend Senate Bill No. 1765 by adding the at the end of the amendatory language of Section 1 the following:

provided, however, the jurisdiction conferred by this subdivision (5) is conferred only for petitions concerning mandatory outpatient treatment.

On motion, Amendment No. 1 was adopted.

Senate Bill No. 1765, as amended, passed third and final consideration by the following vote:

Ayes. . . . .	91
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

A motion to reconsider was tabled.

House Bill No. 1948 -- Sunset Laws -- Recycling market advisory council, June 30, 1996. Amends TCA, Title 4, Ch. 29; Title 68, Ch. 211.

On motion, House Bill No. 1948 was made to conform with Senate Bill No. 1903; the Senate Bill was substituted for the House Bill.

Rep. Johnson moved that Senate Bill No. 1903 be passed on third and final consideration.

On motion, Rep. Johnson withdrew Government Operations Committee Amendment No. 1.

Senate Bill No. 1903 passed third and final consideration by the following vote:

Ayes. . . . .	92
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to Rule No. 31, the following member(s) desire to change their original stand from not voting to aye on Senate Bill No. 1903 and have this statement entered in the Journal: Rep(s). Hillis.

REGULAR CALENDAR, CONTINUED

House Bill No. 1969 -- Sunset Laws -- Board of social worker certification and licensure, June 30, 2002. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 23.

On motion, House Bill No. 1969 was made to conform with Senate Bill No. 1882; the Senate Bill was substituted for the House Bill.

Rep. Johnson moved that Senate Bill No. 1882 be passed on third and final consideration.

On motion, Rep. Johnson withdrew Government Operations Committee Amendment No. 1.

Senate Bill No. 1882 passed third and final consideration by the following vote:

Ayes. . . . .	93
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires,

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Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**House Bill No. 2159 -- Taxes, Real Property -- Exempts transfers of real estate to living trusts from recordation tax. Amends TCA 67-4-409.**

Rep. Fisher moved that **House Bill No. 2159** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	91
Noes. . . . .	0
Present and not voting. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

Representatives present and not voting were: Lewis -- 1.

A motion to reconsider was tabled.

**House Bill No. 2269 -- Courts -- Authorizes new trial when motion is pending if trial judge is impeached or removed from office. Amends TCA, Title 17, Ch. 1, Pt. 3.**

Rep. Purcell moved that **House Bill No. 2269** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	91
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd,



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Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Crain, Cross, Davidson, Davis, DeBerry, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

A motion to reconsider was tabled.

**CHAIR TO SPEAKER**

Mr. Speaker Naifeh resumed the Chair.

**REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 2152** -- Firearms and Ammunition -- Creates offenses of possession of handgun by juvenile, providing juvenile with handgun, permitting juvenile to possess handgun. Amends TCA, Title 39, Ch. 17, Pt. 13.

Rep. Herron moved that House Bill No. 2152 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1, seconded by Rep. Herron as follows:

**Amendment No. 1**

Amend House Bill No. 2152 by deleting all the language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 13 is amended by adding the following new sections to be designated as Sections 39-17-1319 and 39-17-1320:

**Section 39-17-1319.**

(a) As used in Sections 39-17-1319 and 39-17-1320, unless the context otherwise requires:

(1) "Handgun" means a pistol, revolver, or other firearm of any description, loaded or unloaded, from which any shot, bullet, or other missile can be discharged, the length of the barrel of

which, not including any revolving, detachable, or magazine breech, does not exceed twelve inches (12").

(2) "Juvenile" means any person less than eighteen (18) years of age.

(b) Except as provided in this section, it is an offense for a juvenile to knowingly possess a handgun.

(c)

(1) Illegal possession of a handgun by a juvenile is a delinquent act and, in addition to any other disposition authorized by law, such juvenile may be required to perform not more than one hundred (100) hours of community service work to be specified by the judge and such juvenile's driving privileges shall be suspended for a period of one (1) year in accordance with the procedure set out in Tennessee Code Annotated, Title 55, Chapter 10, Part 7.

(2) A second or subsequent violation of this section is a delinquent act and, in addition to any other disposition authorized by law, such juvenile may be required to perform not less than one hundred (100) nor more than two hundred (200) hours of community service work to be specified by the judge and such juvenile's driving privileges shall be suspended for a period of two (2) years in accordance with the procedure set out in Tennessee Code Annotated, Title 55, Chapter 10, Part 7.

(3) Any handgun illegally possessed in violation of this section shall be confiscated and disposed of in accordance with the provisions of Tennessee Code Annotated, Section 39-17-1317.

(d)

(1) It is a defense to prosecution under this section that the juvenile is:

(A) In attendance at a hunter's safety course or a firearms safety course;

(B) Engaging in practice in the use of a firearm or target shooting at

an established range authorized by the governing body of the jurisdiction in which such range is located or any other area where the discharge of a firearm is not prohibited;

(C) Engaging in an organized competition involving the use of a firearm, or participating in or practicing for a performance by an organized group which is exempt from federal income taxation under § 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. §501(c)(3)), as amended and which uses firearms as part of such performance;

(D) Hunting or trapping pursuant to a valid license issued to such juvenile pursuant to Tennessee Code Annotated, Title 70;

(E) Accompanied by such juvenile's parent or guardian and is being instructed by such adult or guardian in the use of the handgun possessed by the juvenile;

(F) On real property which is under the control of an adult and has the permission of that adult and his parent or legal guardian to possess a handgun;

(G) Traveling to or from any activity described in subsection (d)(1) with an unloaded gun; or

(H) At his residence and with the permission of his parent or legal guardian, possesses a handgun and is justified in using physical force or deadly force.

(2) For purposes of subsection (d)(1)(G), a handgun is "unloaded" if:

(A) There is not a cartridge in the chamber of the handgun;

(B) There is not a cartridge in the cylinder of the handgun if the handgun is a revolver; or

(C) The handgun, and the ammunition for such handgun, are not carried on the person of a juvenile or are not in such close proximity to such juvenile that the juvenile could readily gain access to the handgun and the ammunition and load the handgun.

(e) Notwithstanding any other provision of this part to the contrary, the provisions of this section shall govern a juvenile who possess a handgun.

Section 39-17-1320.

(a) It is an offense for a person intentionally, knowingly or recklessly to provide a handgun with or without remuneration to any person he or she knows or has reason to believe is a juvenile in violation of Tennessee Code Annotated, Section 39-17-1319.

(b) It is an offense for a parent or guardian intentionally, knowingly or recklessly to provide a handgun to a juvenile or permit a juvenile to possess a handgun, if such parent or guardian knows of a substantial risk that such juvenile will use a handgun to commit a felony.

(c) Unlawfully providing or permitting a juvenile to possess a handgun in violation of subsection (a) or (b) is a Class D felony.

SECTION 2. This act shall take effect on July 1, 1994, the public welfare requiring it.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1 to Amendment No. 1.

On motion, Amendment No. 1 was adopted.

Rep. Herron moved to adopt Amendment No. 2 as follows:

**Amendment No. 2**

Amend House Bill No. 2152 by deleting subsection (c) of Section 39-17-1320 of the amendatory language of SECTION 1 in its entirety and substituting instead the following:

(c) Unlawfully providing or permitting a juvenile to possess a handgun in violation of subsection (a) is a Class A misdemeanor and in violation of subsection (b) is a Class D felony.

On motion, Amendment No. 2 was adopted.

Rep. Herron moved that **House Bill No. 2152**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**House Bill No. 2571 -- Criminal Offenses --** Shields person from conviction of weapon offense if weapon employed in defense of self or other while a victim. Amends TCA, Title 39, Ch. 17, Pt. 13.

On motion, House Bill No. 2571 was made to conform with **Senate Bill No. 2182**; the Senate Bill was substituted for the House Bill.

Rep. Herron moved that **Senate Bill No. 2182** be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1, seconded by Rep. Herron, as follows:

**Amendment No. 1**

Amend Senate Bill No. 2182 by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. Tennessee Code Annotated, Section 39-17-1315, is amended by deleting from the second sentence of subsection (b)(3) the language "one (1) year" and substituting instead the language "two (2) years".

Section \_\_\_\_\_. Tennessee Code Annotated, Section 39-17-1315, is further amended by adding the following new subsection to be appropriately designated:

( ) A handgun permit issued pursuant to this section shall be valid in every county of the state.

Section \_\_\_\_\_. Tennessee Code Annotated, Section 39-17-1315, is further amended by deleting the second sentence of subsection (b)(1) and substituting instead the following:

The sheriff shall issue such a permit and a written directive to persons not prohibited from purchasing firearms authorizing the person to carry a handgun, provided, that the person meets all the requirements of this section. The sheriff may, for good cause and in the reasonable exercise of discretion, deny a permit. Any party aggrieved under the terms of this act, for either denial or revocation, may file a writ of mandamus, as provided by law.

Section \_\_\_\_\_. Tennessee Code Annotated, Section 39-17-1315, is further amended by adding the following new subsection (f):

(f) An individual, corporation or business entity is authorized to prohibit the possession of weapons by employees otherwise authorized by this subsection on premises owned, operated or managed by such individual, corporation or business entity. Notice of prohibition thereunder shall be posted.

Section \_\_\_\_\_. Tennessee Code Annotated, Section 39-17-1315, is further amended by deleting from the second sentence of subsection (b)(2) the language "state certified training program" and substituting instead the language "state certified training program or equivalent training program approved by the department of safety".

Section \_\_\_\_\_. Tennessee Code Annotated, Section 39-17-1315, is further amended by adding the following at the end of subsection (b)(1):

The permit holder shall have the permit in the holder's immediate possession at all times when carrying a handgun and shall display the permit on demand of a law enforcement officer. The holder of any permit shall, within thirty (30) days, notify the sheriff in writing of the permittee's principal place of residence and of any change in the address of the principal place of residence of the permit holder.

Rep. Rhinehart moved the previous question, which motion prevailed.

On motion, Amendment No. 1 was adopted.

Rep. Rhinehart moved the previous question, which motion failed by the following vote:

Ayes. . . . .	56
Noes. . . . .	31
Present and not voting. . . . .	3

Representatives voting aye were: Allen, Anderson, Bell, Boyer, Brooks, Buck, Byrd, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Ferguson, Givens, Gunnels, Haley, Halteman Harwell, Hassell, Head, Hillis, Huskey, Johnson, Knight, Lewis, Liles, Meyer, Moore, Napier, Odom, Owenby, Phelan, Rhinehart, Ridgeway, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Walley, West, Whitson, Williams (Union), Windle, Winningham, Wood -- 56.

Representatives voting no were: Armstrong, Arriola, Bittle, Bragg, Brown, Callicott, Dixon, Duer, Fisher, Fowlkes, Hargrove, Herron, Jackson, Jones R (Shelby), Joyce, Kisber, McAfee, McDaniel, Miller, Mires, Peroulas Draper, Phillips, Pinion, Purcell, Ramsey, Rigsby, Venable, Westmoreland, Williams (Shelby), Williams (Williamson), Wix -- 31.

Representatives present and not voting were: Haun, Love, Ritchie -- 3.

Rep. Jackson moved to adopt Amendment No. 2 as follows:

#### Amendment No. 2

Amend Senate Bill No. 2182 by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. Tennessee Code Annotated, Section 39-17-1315, is further amended by inserting the following between the fourth and fifth sentences of subsection (b)(2):

Such insurance must provide coverage for the death or injury of another and for damage to the property of another caused by the negligent acts or wrongful intentional acts of the permit holder in the use of such handgun.

Section \_\_\_\_\_. Tennessee Code Annotated, Section 39-17-1315, is further amended by inserting the following between the sixth and seventh sentences of subsection (b)(2):

The corporate surety bond must be for the specific purpose of carrying a firearm and must so state on the face of the bond. Such bond must provide coverage for the death or injury of another and for damage to the property of another caused by the

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negligent acts or wrongful intentional acts of the permit holder in the use of such handgun.

Rep. Herron requested that Senate Bill No. 2182, be moved to the heel of the Calendar; he then withdrew his request.

Rep. Rhinehart moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes. . . . .	56
Noes. . . . .	26
Present and not voting. . . . .	1

Representatives voting aye were: Allen, Anderson, Arriola, Bell, Bittle, Boyer, Buck, Callicott, Chiles, Cole (Carter), Cross, Davidson, Duer, Ferguson, Fisher, Givens, Gunnels, Haley, Halteman Harwell, Haun, Head, Hillis, Johnson, Kisber, Knight, Lewis, Liles, McAfee, McDaniel, McKee, Meyer, Mires, Napier, Owenby, Phelan, Phillips, Pinion, Ramsey, Rhinehart, Ridgeway, Rinks, Robinson, Severance, Shirley, Stamps, Stulce, Tindell, Venable, Walley, West, Westmoreland, Williams (Union), Williams (Williamson), Windle, Winningham, Wood -- 56.

Representatives voting no were: Armstrong, Brooks, Brown, Byrd, Chumney, Cole (Dyer), Crain, DeBerry, Dixon, Fowlkes, Hargrove, Hassell, Jackson, Jones R (Shelby), Jones U (Shelby), Joyce, Love, Miller, Peroulas Draper, Pruitt, Rigsby, Ritchie, Thompson, Whitson, Williams (Shelby), Wix -- 26.

Representatives present and not voting were: Collier -- 1.

Rep. Haun moved the previous question, which motion prevailed by the following vote:

Ayes. . . . .	64
Noes. . . . .	22
Present and not voting. . . . .	5

Representatives voting aye were: Allen, Anderson, Arriola, Bittle, Boyer, Brooks, Buck, Byrd, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Cross, Davidson, Davis, Duer, Ferguson, Givens, Gunnels, Haley, Halteman Harwell, Haun, Head, Herron, Hillis, Jackson, Johnson, Knight, Lewis, Liles, McDaniel, McKee, Meyer, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Ramsey, Rhinehart, Ridgeway, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Tindell, Venable, Walley, West, Westmoreland, Whitson, Williams (Union), Windle, Winningham, Wood -- 64.

Representatives voting no were: Armstrong, Brown, Callicott, Crain, DeBerry, Dixon, Fisher, Fowlkes, Hargrove, Hassell, Jones R (Shelby), Jones U (Shelby), Joyce, Kisber, Love, McAfee, Miller, Peroulas Draper, Rigsby, Thompson, Williams (Shelby), Wix -- 22.



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Representatives present and not voting were: Bragg, Purcell, Ritchie, Turner (Hamilton), Williams (Williamson) -- 5.

**Senate Bill No. 2182**, as amended, passed third and final consideration by the following vote:

Ayes. . . . .	91
Noes. . . . .	2

Representatives voting aye were: Allen, Anderson, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones U (Shelby), Joyce, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Armstrong, Jones R (Shelby) -- 2.

A motion to reconsider was tabled.

**House Bill No. 1805** -- Taxes, Real Property -- Permits trustee to accept partial payment of property taxes. Amends TCA 67-5-1801.

On motion, House Bill No. 1805 was made to conform with **Senate Bill No. 1802**; the Senate Bill was substituted for the House Bill.

Rep. Williams (Shelby) moved that Senate Bill No. 1802 be reset to the Calendar for Wednesday, March 23, 1994, which motion prevailed.

**House Bill No. 0595** -- Schools, Private -- Requires parent-teachers who teach children in grades 9-12 to have high school degree or GED; requires such students to take annual standardized achievement tests. Amends TCA 49-6-3050.

On motion, House Bill No. 595 was made to conform with **Senate Bill No. 1159**; the Senate Bill was substituted for the House Bill.

Rep. Wood moved that **Senate Bill No. 1159** be passed on third and final consideration.

On motion, Rep. Davidson withdrew Education Committee Amendment No. 1.

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Rep. Davidson moved adoption of Education Committee Amendment No. 2 as follows:

**Amendment No. 2**

AMEND Senate Bill No. 1159 by adding in amendatory subdivision (c)(ii) of Section 3, as amended, after "Any parent conducting a home school", the following:

in grades nine (9) through twelve (12)

AND FURTHER AMEND in amendatory subdivision (c)(ii) of Section 3, as amended, the following:

the parent may no longer conduct a home school, and

Rep. Davidson requested that Amendment No. 2 be placed behind Amendment No. 5

Rep. Davidson moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Wood requested that Amendment No. 4 be moved to the heel of the Amendments.

Rep. Davidson moved to adopt Amendment No. 5 as follows:

**Amendment No. 5**

AMEND Senate Bill No. 1159 by deleting all sections of the bill, as amended, and by substituting the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-3050, is amended by deleting from the first sentence of subsection (a)(2) the word and figure "eight (8)" and substituting instead the word and figure "twelve (12)".

SECTION 2. Tennessee Code Annotated, Section 49-6-3050, is further amended by designating the present subdivision (a)(2) to be (a)(2)(A) and by adding a new subdivision (a)(2)(B), as follows:

(B) Parent-teachers registered with such organization for conducting a home school for children in grades nine (9) through twelve (12) shall possess at least a high school diploma or GED and shall have such grade nine (9) through twelve (12) students administered an annual standardized achievement test or the Sanders Model of value-added assessment, whichever is in use in that LEA and is sanctioned by the state board of education.

SECTION 3. Tennessee Code Annotated, Section 49-6-3050(a)(2), is further amended by adding a new subdivision thereto, as follows:

(c)(i) Notwithstanding the provisions of subdivision (a)(2)(A), any parent desiring to conduct a home school, covered by the provisions of this subdivision must register children who would be in grades nine (9) through twelve (12) with the local education agency which the child would otherwise attend.

(ii) Any parent conducting a home school for children in grades nine (9) through twelve (12) under this subdivision (a)(2) must adhere to the same program of the Sanders Model of value-added assessment, or other standardized achievement testing in use in the local education agency which the child would otherwise attend. If the child fails, for two (2) consecutive years, to meet or surpass the average level of achievement in the Sanders Model of value-added assessment or other standardized achievement testing in use in the local education agency, the child shall be enrolled in the appropriate grade level of the local education agency or private or church-related school.

SECTION 4. This act shall take effect on July 1, 1994, the public welfare requiring it.

On motion, Amendment No. 5 was adopted.

Rep. Davidson moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. McAfee moved that Amendment No. 6 be withdrawn, which motion prevailed.

Rep. Wood moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. Wood moved that **Senate Bill No. 1159**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	86
Noes. . . . .	0
Present and not voting. . . . .	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brown, Buck, Byrd, Callicott, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie,

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Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 86.

Representatives present and not voting were: Brooks, Dixon -- 2.

A motion to reconsider was tabled.

**House Bill No. 2413** -- Medical Occupations -- Expands scope of practice of physician assistants. Amends TCA, Title 53, Ch. 10; Title 63, Chs. 10, 19.

Further consideration of House Bill No. 2413, previously considered on today's Calendar.

Rep. Duer moved that the motion to adopt Amendment No. 2, previously filed, be withdrawn, which motion prevailed.

Rep. Duer moved to adopt Amendment No. 3, seconded by Rep. Odom, as follows:

**Amendment No. 3**

Amend House Bill No. 2413 by deleting in its entirety the first sentence of the amendatory language of Section 2, as amended, which amends Section 63-19-107, subdivision (2)(A), and by substituting instead the following language:

After a physician assistant has practiced at least one (1) year after graduation from an accredited physician assistant program, a supervising physician may delegate to a physician assistant working under the physician's supervision the authority to prescribe drugs, in accordance with rules adopted by the board and the committee.

On motion, Amendment No. 3 was adopted.

Rep. Odom moved that **House Bill No. 2413**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	91
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kisber, Knight, Lewis, Liles,

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Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

A motion to reconsider was tabled.

**House Bill No. 2094 -- Criminal Offenses --** Expands offense of parent knowing minor is in illegal possession of firearm on school or public property, to include standard of whether parent should have known; violation Class A misdemeanor. Amends TCA 39-17-1312.

Further consideration of House Bill No. 2094, previously considered on today's Calendar.

Rep. Moore moved that House Bill No. 2094 be reset to the Calendar for Wednesday, March 23, 1994, which motion prevailed.

**MESSAGE CALENDAR**

**HOUSE ACTION ON SENATE MESSAGE**

**\*Senate Bill No. 2254 -- Medical Occupations --** Authorizes board of medical examiners to issue and regulate licenses. Amends TCA, Title 63, Ch. 6.

Further consideration of Senate Bill No. 2254, previously considered on March 3 1994, at which time it was substituted for House Bill No. 2493; Amendment No. 1 was adopted and the Senate Bill passed as amended. On March 14, a request was made to recall it from the Senate for further consideration. On March 17, a motion to lift from the table the motion to reconsider was adopted, motion to reconsider was adopted, a motion was made to adopt Amendment No. 2, and the bill was then placed on the Message Calendar for March 21, 1994.

**AMENDMENT NO. 2**

AMEND Senate Bill No. 2254 by deleting the language "Section 207" from the directory language of the original Section 2 and by substituting instead the language "Section 63-6-207".

AND FURTHER AMEND by deleting the language "medical students" in the first sentence of the amendatory paragraph (e) in the original Section 2 and by substituting instead the language "medical interns, residents and fellows".

AND FURTHER AMEND by deleting the language "approved by the

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American Medical Association" in subdivision (1) of the amendatory paragraph (e) in the original Section 2.

AND FURTHER AMEND by deleting the figure "63-6-214(c)(2) in the original Section 4 and by substituting instead the figure "63-6-211(c)(2)".

Rep. Rhinehart renewed his motion for adoption of Amendment No. 2, which motion prevailed.

Rep. Rhinehart moved that **Senate Bill No. 2254**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	90
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 90.

A motion to reconsider was tabled.

**UNFINISHED BUSINESS**

**RULES SUSPENDED**

Rep. Love moved to suspend **Rule No. 80(1)**, relative to the time for placing bills on notice in Committee, so that House Bill No. 233 could be heard by the State Government subcommittee of the State and Local Government Committee on Tuesday, March 22, 1994, which motion prevailed.

**RULES SUSPENDED**

Rep. Love moved to suspend **Rule No. 80(1)**, relative to the time for placing bills on notice in Committee, so that House Bill No. 2773 could be heard by the State Government subcommittee of the State and Local Government Committee on Tuesday, March 22, 1994, which motion prevailed.

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**BILLS WITHDRAWN**

On motion of Rep. Mires, **House Bill No. 1432** was recalled from the Judiciary Committee and withdrawn from the House.

On motion of Rep. Lewis, **House Bill No. 2719** was recalled from the Health and Human Resources Committee and withdrawn from the House.

On motion of Rep. Brown, **House Bill No. 2766** was recalled from the State and Local Government Committee and withdrawn from the House.

**NOTICE TO ACT ON SENATE MESSAGES**

Pursuant to **Rule No. 59**, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on the final Message Calendar of 1994:

**House Bill No. 635:** Rep. Purcell.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 595:** Rep(s). Bittle, Callicott, McAfee, McDaniel, Meyer, Mires and Stulce as prime sponsor(s).

**House Bill No. 691:** Rep(s). Bittle, Chumney, Halteman Harwell, Haun, McAfee, McDaniel, Stamps, Thompson and West as prime sponsor(s).

**House Bill No. 999:** Rep(s). West as prime sponsor(s).

**House Bill No. 1077:** Rep(s). Duer as prime sponsor(s).

**House Bill No. 1120:** Rep(s). Ferguson as prime sponsor(s).

**House Bill No. 1313:** Rep(s). Hargrove as prime sponsor(s).

**House Bill No. 1805:** Rep(s). Arriola as prime sponsor(s).

**House Bill No. 1816:** Rep(s). Purcell as prime sponsor(s).

**House Bill No. 1850:** Rep(s). Haun as prime sponsor(s).

**House Bill No. 2134:** Rep(s). Lewis, Johnson and Pinion as prime sponsor(s).

**House Bill No. 2152:** Rep(s). Armstrong, Bittle, Bragg, Callicott, Chumney, Dixon, Givens, Knight, Halteman Harwell, Moore.

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Peroulas Draper, Purcell, Ritchie, Stulce, Tindell, Turner (Hamilton) Walley and West, as prime sponsor(s).

**House Bill No. 2203:** Rep(s). Jackson and Williams (Shelby) as prime sponsor(s).

**House Bill No. 2223:** Rep(s). Purcell as prime sponsor(s).

**House Bill No. 2310:** Rep(s). Cole (Dyer) as prime sponsor(s).

**House Bill No. 2413:** Rep(s). Bittle and McDaniel as prime sponsor(s).

**House Bill No. 2427:** Rep(s). Arriola, Bittle, Davis, Haun, Johnson, Kisber, McAfee, McDaniel, Naifeh, Peroulas Draper, Phillips, Severance, Thompson and Turner (Hamilton) as prime sponsor(s).

**House Bill No. 2430:** Rep(s). Odom as prime sponsor(s).

**House Bill No. 2502:** Rep(s). Arriola as prime sponsor(s).

**House Bill No. 2571:** Rep(s). Bell, Callicott, Haun, Johnson, Lewis, Mires, Pinion, Thompson, Whitson and Winningham as prime sponsor(s).

**House Bill No. 2573:** Rep(s). Bittle and McDaniel as prime sponsor(s).

**House Bill No. 2741:** Rep(s). Bell as prime sponsor(s).

**House Bill No. 2773:** Rep(s). Armstrong as prime sponsor(s).

**House Joint Resolution No. 517:** Rep(s). West as prime sponsor(s).

**MESSAGE FROM THE SENATE**

**March 21, 1994**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolution(s) No(s). 516 and 518; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**March 21, 1994**

**MR. SPEAKER:** I am directed to return to the House, House Bill(s) No(s). 2156 and 2367; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.



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**MESSAGE FROM THE SENATE**

**March 21, 1994**

**MR. SPEAKER:** I am directed to return to the House, House Bill(s) No(s). 1773, 2230, 2365, 2529 and 2531; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

**CLYDE W. McCULLOUGH, JR., Chief Clerk.**

**MESSAGE FROM THE SENATE**

**March 21, 1994**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolution(s) No(s). 528; concurred in by the Senate.

**CLYDE W. McCULLOUGH, JR., Chief Clerk.**

**MESSAGE FROM THE SENATE**

**March 21, 1994**

**MR. SPEAKER:** I am directed to return to the House, House Bill(s) No(s). 1953; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

**CLYDE W. McCULLOUGH, JR., Chief Clerk.**

**MESSAGE FROM THE SENATE**

**March 21, 1994**

**MR. SPEAKER:** I am directed to return to the House, House Bill(s) No(s). 2540 and 2543; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

**CLYDE W. McCULLOUGH, JR., Chief Clerk.**

**MESSAGE FROM THE SENATE**

**March 21, 1994**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 384 and 385; adopted for concurrence.

**CLYDE W. McCULLOUGH, JR., Chief Clerk.**

**Senate Joint Resolution No. 0384 -- Memorials, Death -- John L. Butler. by \*Crowe, \*Greer.**

**Senate Joint Resolution No. 0385 -- Memorials, Recognition and Thanks -- Central Church of Christ. by \*Crowe, \*Greer.**

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MESSAGE FROM THE SENATE

March 21, 1994

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 373, 374 and 376; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 0373 -- Memorials, Sports -- Wade Houston. by \*Cooper, \*O'Brien, \*Haynes, \*McKnight, \*Henry.

Senate Joint Resolution No. 0374 -- Memorials, Death -- Walter Swett. by \*Harper, \*Haynes, \*Wilder, \*McKnight, \*Henry.

Senate Joint Resolution No. 0376 -- Memorials, Death -- Commissioner James E. Yates. by \*Wright.

MESSAGE FROM THE SENATE

March 21, 1994

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1963, 2220, 2324, 2420, 2485, 2557, 2595 and 2741; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

\*Senate Bill No. 1963 -- Real Estate Agents and Brokers -- Adds position of director of education to real estate commission. CAVEAT: This bill contains no enacting clause. Amends TCA, Title 62, Ch. 13, Pt. 2. by \*Womack, \*McKnight.

\*Senate Bill No. 2220 -- Local Government, General -- Authorizes and restricts local governments in creation and operation of emergency communications districts. Amends TCA, Title 7, Ch. 86. by \*Albright, \*Jordan.

\*Senate Bill No. 2324 -- Health -- Assigns duties to black health care commission to monitor impact of TennCare on African-American community; postpones commission's termination date from June 30, 1995 to June 30, 2004. Amends TCA, Title 3, Ch. 15, Pt. 4. by \*Harper.

\*Senate Bill No. 2420 -- Alcoholic Offenses -- Treats prior conviction for vehicular homicide involving alcohol and vehicular assault same as prior DUI conviction for purpose of enhancing punishment for DUI conviction. Amends TCA 55-10-403. by \*Leatherwood, \*Person, \*McKnight.

\*Senate Bill No. 2485 -- Psychologists -- Requires board of examiners in psychology to establish continuing education requirements for psychologists designated as health service providers and psychological examiners. Amends TCA 63-11-104. by \*Holcomb.

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**\*Senate Bill No. 2557** -- Election Laws -- Revises law concerning voter registration. Amends TCA, Title 2, Ch. 2. by \*Crutchfield, \*Rochelle, \*McNally, \*McKnight, \*Crowe.

**\*Senate Bill No. 2595** -- Taxes, Real Property -- Authorizes governing body of each of four, instead of two, largest cities with populations greater than 10,000 within county to appoint one county board member. Amends TCA, Title 67, Ch. 1, Pt. 4. by \*Leatherwood, \*Person.

**\*Senate Bill No. 2741** -- Law Enforcement -- Makes use of uniform traffic citation forms optional. Amends TCA 55-10-208. by \*Gilbert.

**ENGROSSED BILLS**

**March 21, 1994**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 691, 1850, 1997, 2114, 2152, 2159, 2269, 2275, 2404, 2413, 2427, 2558, 2560, 2573, 2859, 2875, 2876, 2877, 2878 and 2880; also, House Joint Resolution(s) No(s). 399, 415, 434, 472, 492, 493, 502, 530, 531, 532, 533, 534, 535 and 536.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 92

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

On motion of Rep. Purcell, the House recessed until 2:00 p.m., Wednesday, March 23, 1994.